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09/844,821	04/27/2001	Doo Sang Park	2080-3-18	3336
35884 7590 06/25/2009 LEE, HONG, DEGERMAN, KANG & WAIMEY 660 S. FIGUEROA STREET Suite 2300 LOS ANGELES, CA 90017				
EXAMINER				
AILES, BENJAMIN A				
ART UNIT		PAPER NUMBER		
2442				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

09/844,821

Applicant(s)

PARK, DOO SANG

Examiner

BENJAMIN AILES

Art Unit

2442

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 7-13 and 16-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7-13 and 16-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 20 March 2009 has been entered.
2. Claims 1-4, 7-13 and 16-23 remain pending.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4, 7-13 and 16-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gerszberg et al. (US 6,359,881 B1), hereinafter referred to as Gerszberg '881, in view of Kondo et al. (US 5,936,941), hereinafter referred to as Kondo, in view of Gerszberg et al. (US 2001/0040621), hereinafter referred to as Gerszberg '621.
5. Regarding claim 1, Gerszberg '881 teaches an information display system, comprising:

a gateway system for converting protocols of an external network and a local network for information exchange between the external network and local network (Fig. 5, item 210, gateway, and col. 13, ll. 41-43);

a plurality of terminals having a display unit and connected to the local network wherein each of the plurality of terminals exchanges call setup information with the gateway system (Fig. 5, item 210 gateway and item 214 connection manager, and col. 13, ll. 41-50).

Gerszberg '881 teaches an information server for receiving and storing information transmitted from the external network or local network (fig. 4B item 183 info server/DBMS and col. 10, ll. 28-34) and the transmission of information to a plurality of terminals (Gerszberg '881, col. 11, ll. 59-61) and wherein each of the plurality of terminals that is in the on-hook status displays the information transmitted from the information server on the display unit and wherein each of the plurality of terminals in the off-hook status does not display the information transmitted from the information server on the display unit while in the off-hook status (Gerszberg '881, col. 11, ll. 65-66) and the information transmitted from the information server comprises at least one of an advertisement, a guide and a bulletin (Gerszberg '881, col. 11, ll. 58-62) and further the terminal has one of an on-hook status and an off-hook status (Gerszberg '881, col. 11, ll. 58-65, passive vs. active status). Gerszberg '881 does not explicitly teach (a) "determining a call status of each of the plurality of terminals based on call status information included in the call setup information exchanged between each of the

plurality of terminals" and (b) "transmitting the stored information to each of the plurality of terminals in the on-hook status."

(a) With respect to call status determination, Gerszberg '881 does not explicitly teach these limitations. However, in related art, Kondo teaches the determination of call status information from call setup information wherein Kondo teaches wherein a communication terminal identifies status information and stores the information at a management terminal (col. 8, ll. 8-34). The status information is retrieved from call setup information that is originally transmitted from a device (col. 8, ll. 30-34). One of ordinary skill in the art at the time of the applicant's invention would have found it obvious to transmit call status information, including call status information taught by Gerszberg '881, and determine call status from call setup information as taught by Kondo. One of ordinary skill in the art would have been motivated to combine Kondo with Gerszberg '881 wherein Kondo teaches an efficient management method with respect to a plurality of terminals and enables quick maintenance of the communication terminals (col. 1, ll. 10-16).

(b) With respect to the transmission of stored information during an on-hook status, Gerszberg '881 teaches the transmission of information to the terminal at any point in time, therefore it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to enable information to be transmitted to the videophone while the videophone is in an on-hook condition. This is taught in the art by Gerszberg '621, wherein Gerszberg teaches a very similar videophone setup wherein information or advertisements, is transmitted to a videophone when it is determined that

the videophone is not in use (p. 5, para. 0042) and therefore the videophone is in an on-hook condition. One of ordinary skill in the art would have been motivated to utilize the transmission during an on-hook status wherein Gerszberg teaches that it would have been advantageous to push information to a terminal during low use times in the middle of the night or when the videophone is not in use at all (Gerszberg '621, p. 5, para. 0042).

6. Regarding claim 2, Gerszberg '881, Kondo and Gerszberg '621 teach the system wherein each of the plurality of terminals is one of a PC phone and an Internet phone using Internet protocols for data communication (Gerszberg '881, col. 6, ll. 47-50).

7. Regarding claim 3, Gerszberg '881, Kondo and Gerszberg '621 teach the system wherein each of the plurality of terminals includes a memory means for temporarily storing the information transmitted from the information server (Gerszberg '881, col. 8, ll. 44-52) during the on-hook status (Gerszberg '621, p. 5, para. 0042) and a control means for controlling the storing of the transmitted information in the memory means such that the information stored in the memory means is displayed on the display unit when the on-hook status is detected (Gerszberg '881, col. 11, ll. 65-66) and voice communication-related information is displayed on the display unit when the off-hook status is detected (Gerszberg '881, col. 9, ll. 17-27).

8. Regarding claim 4, Gerszberg '881, Kondo and Gerszberg '621 teach the system wherein the control means in each of the plurality of terminals determines the call status of the terminal (Gerszberg '881, col. 11, ll. 65-66).

9. Regarding claim 7, Gerszberg '881, Kondo and Gerszberg '621 teach the system wherein the information server comprises a memory means for storing information transmitted from the external network (Gerszberg '881, col. 10, ll. 28-37) and a control means for determining the respective call status of each of the plurality of terminals (Gerszberg '621, pg. 5, paragraph 0042).

10. Regarding claim 8, Gerszberg '881, Kondo and Gerszberg '621 teach the system wherein the control means of the information server transmits the information stored in the memory means of the information server to each of the plurality of terminals during the on-hook status of each of the plurality of terminals (Gerszberg '621, pg. 5, para. 0042).

11. Regarding claim 9, Gerszberg '881, Kondo and Gerszberg '621 teach the system wherein the control means of the information server updates contents of the memory means of the information server when new information is received (Gerszberg '881, col. 12, ll. 12-17, delivery of emergency broadcasts.).

12. Regarding claim 10, Gerszberg '881 teaches an information display system, comprising:

a plurality of terminals having a display unit and connected to the local network (Fig. 5, item 210 gateway and item 214 connection manager, and col. 13, ll. 41-50).

Gerszberg '881 teaches an information server for receiving and storing information transmitted from the external network or local network (fig. 4B item 183 info server/DBMS and col. 10, ll. 28-34) and the transmission of information to a plurality of terminals (Gerszberg '881, col. 11, ll. 59-61) and wherein each of the plurality of

terminals that is in the on-hook status displays the information transmitted from the information server on the display unit wherein each of the plurality of terminals that is in the off-hook status does not display the information transmitted from the information server on the display unit during the off-hook status (Gerszberg '881, col. 11, ll. 65-66) and the information transmitted from the information system comprises at least one of an advertisement, a guide and a bulletin (Gerszberg '881, col. 11, ll. 58-62). Gerszberg '881 does not explicitly teach (a) "determining a call status of each of the plurality of terminals based on call status information included in the call setup information exchanged between each of the plurality of terminals" and (b) "transmitting the stored information to each of the plurality of terminals that is in the on-hook status."

(a) With respect to call status determination, Gerszberg '881 does not explicitly teach these limitations. However, in related art, Kondo teaches the determination of call status information from call setup information wherein Kondo teaches wherein a communication terminal identifies status information and stores the information at a management terminal (col. 8, ll. 8-34). The status information is retrieved from call setup information that is originally transmitted from a device (col. 8, ll. 30-34). One of ordinary skill in the art at the time of the applicant's invention would have found it obvious to determine call status from call setup information as taught by Kondo. One of ordinary skill in the art would have been motivated to combine Kondo with Gerszberg '881 wherein Kondo teaches an efficient management method with respect to a plurality of terminals and enables quick maintenance of the communication terminals (col. 1, ll. 10-16).

(b) With respect to the transmission of stored information during an on-hook status, Gerszberg '881 teaches the transmission of information to the terminal at any point in time, therefore it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to enable information to be transmitted to the videophone while the videophone is in an on-hook condition. This is taught in the art by Gerszberg '621, wherein Gerszberg teaches a very similar videophone wherein information, advertisements, is transmitted to a videophone when it is determined that the videophone is not in use (p. 5, para. 0042) and therefore the videophone is in an on-hook condition. One of ordinary skill in the art would have been motivated to utilize the transmission during an on-hook status wherein Gerszberg teaches that it would have been advantageous to push information to a terminal during low use times in the middle of the night or when the videophone is not in use at all (Gerszberg '621, p. 5, para. 0042).

13. Regarding claim 11, Gerszberg '881, Kondo and Gerszberg '621 teach the system wherein each of the plurality of terminals is one of a PC phone and an Internet phone using Internet protocols (Gerszberg '881, col. 6, ll. 47-50).

14. Regarding claim 12, Gerszberg '881, Kondo and Gerszberg '621 teach the system wherein each of the plurality of terminals includes a memory means for storing information transmitted from the information system (Gerszberg '881, Fig. 3B, item 173) and a control means for controlling storing of the transmitted information in the memory means (Gerszberg '881, Fig. 3B, item 170) such that the information stored in the memory means is displayed on the display unit when the on-hook status is detected

(Gerszberg '881, col. 11, ll. 58-62) and voice communication- related information is displayed on the display unit when an off-hook status is detected (col. 9, ll. 17-21).

15. Regarding claim 13, Gerszberg '881, Kondo and Gerszberg '621 teach the system wherein the control means of each of the plurality of terminals determines the call status of the terminal (Gerszberg '881, col. 11, ll. 65-66).

16. Regarding claim 16, Gerszberg '881, Kondo and Gerszberg '621 teach the system wherein the information system comprises a memory means for storing the information transmitted from the external network (Gerszberg '881, col. 10, ll. 28-37) and a control means for determining the call status of each of the plurality of terminals (Gerszberg '621, pg. 5, paragraph 0042).

17. Regarding claim 17, Gerszberg '881, Kondo and Gerszberg '621 teach the system wherein the control means of the information system transmits the information stored in the memory means of the information system to each of the plurality of terminals during the on-hook status of each of the plurality of terminals (Gerszberg '621, pg. 5, para. 0042).

18. Regarding claim 18, Gerszberg '881, Kondo and Gerszberg '621 teach the system wherein the control means of the information system updates contents of the memory means of the information system when new information is received (Gerszberg '881, col. 12, ll. 12-17, delivery of emergency broadcasts.).

19. Regarding claim 19, Gerszberg '881 teaches a method for displaying information on a plurality of terminals connected to a local network, the method comprising:

storing information transmitted from an external network or the local network (fig. 4B item 183 info server/DBMS and col. 10, ll. 28-34).

Gerszberg '881 teaches an information server for receiving and storing information transmitted from the external network or local network (fig. 4B item 183 info server/DBMS and col. 10, ll. 28-34) and the transmission of information to a plurality of terminals (Gerszberg '881, col. 11, ll. 59-61) and wherein each of the plurality of terminals that is in the on-hook status displays the information transmitted from the information server on the display unit wherein each of the plurality of terminals that is in the off-hook status does not display the transmitted information during the off-hook status (Gerszberg '881, col. 11, ll. 65-66) and the transmitted information comprises at least one of an advertisement, a guide and a bulletin (Gerszberg '881, col. 11, ll. 58-62). Gerszberg '881 does not explicitly teach (a) "determining a call status of each of the plurality of terminals based on call status information included in call setup information transmitted from each of the plurality of terminals, wherein the call status is one of an on-hook status and an off-hook status" and (b) "transmitting the stored information to a plurality of terminals connected to the local network during an on-hook status of each of the plurality of terminals."

(a) With respect to call status determination, Gerszberg '881 does not explicitly teach these limitations. However, in related art, Kondo teaches the determination of call status information from call setup information wherein Kondo teaches wherein a communication terminal identifies status information and stores the information at a management terminal (col. 8, ll. 8-34). The status information is retrieved from call setup

information that is originally transmitted from a device (col. 8, ll. 30-34). One of ordinary skill in the art at the time of the applicant's invention would have found it obvious to determine call status from call setup information as taught by Kondo. One of ordinary skill in the art would have been motivated to combine Kondo with Gerszberg '881 wherein Kondo teaches an efficient management method with respect to a plurality of terminals and enables quick maintenance of the communication terminals (col. 1, ll. 10-16).

(b) With respect to the transmission of stored information during an on-hook status, Gerszberg '881 teaches the transmission of information to the terminal at any point in time, therefore it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to enable information to be transmitted to the videophone while the videophone is in an on-hook condition. This is taught in the art by Gerszberg '621, wherein Gerszberg teaches a very similar videophone wherein information, advertisements, is transmitted to a videophone when it is determined that the videophone is not in use (p. 5, para. 0042) and therefore the videophone is in an on-hook condition. One of ordinary skill in the art would have been motivated to utilize the transmission during an on-hook status wherein Gerszberg teaches that it would have been advantageous to push information to a terminal during low use times in the middle of the night or when the videophone is not in use at all (Gerszberg '621, p. 5, para. 0042).

20. Regarding claim 20, Gerszberg '881, Kondo and Gerszberg '621 teach the method wherein the stored information is transmitted to each of the plurality of terminals

based on the call status of a pre-selected one of the plurality of terminals (Gerszberg '881, col. 12, ll. 12-17, delivery of emergency broadcasts and news bulletins to certain users.).

21. Regarding claim 21, Gerszberg '881, Kondo and Gerszberg '621 teach the method wherein each of the plurality of terminals temporarily stores the transmitted information during the on-hook status (Gerszberg '881, col. 8, ll. 44-52).

22. Regarding claim 22, Gerszberg '881, Kondo and Gerszberg '621 teach the method wherein each of the plurality of terminals displays voice communication-related information during the off-hook status (Gerszberg '881, col. 9, ll. 17-27).

23. Regarding claim 23, Gerszberg '881, Kondo and Gerszberg '621 teach the method wherein the stored information is updated when new information is received (Gerszberg '881, col. 12, ll. 12-17, delivery of emergency broadcasts.).

Response to Arguments

24. Applicant's arguments filed 20 March 2009 have been fully considered but they are not persuasive.

Claims 1-22 rejected under 35 USC 103(a)

25. With respect to the rejection of claims 1-4, 7-13 and 16-23 under 35 USC 103(a) as being unpatentable over Gerszberg et al. ("Gerszberg '881" US 6,359,881) in view of Kondo (US 5,936,941), and further in view of Gerszberg et al. ("Gerszberg '621" US 2001/0040621), applicant argues that the cited prior art does not teach:

- a) determining a call status of each of the plurality of terminals based on call status information included in the call setup information exchanged between each of the plurality of terminals and the gateway system
- b) transmitting the stored information to each of the plurality of terminals that is in the on-hook status
- c) wherein the stored information is not transmitted to each of the plurality of terminals that is in the off-hook status
- d) wherein each of the plurality of terminals that is in the on-hook status displays the information transmitted from the information server on the display unit during the on-hook status
- e) wherein each of the plurality of terminals that is in the off-hook status does not display the information transmitted from the information server on the display unit during the off-hook status.

Applicant's arguments are not deemed persuasive for the following reasons:

(a) With respect to argument (a), the examiner submits, as set forth in the rejection, Gerszberg '881 teaches in col. 11, lines 55-68 the identification of a videotelephone being in an on-hook condition versus an off-hook condition wherein it is taught that a customer's device can be determined to be in either a passive state or an active state. Therefore, Gerszberg '881 teaches on the aspect claimed of having a call status being either in an 'on-hook' or 'off-hook' condition. Kondo is relied upon for teaching the transmission of call status information and not directly the narrow aspect of "on-hook versus off-hook" condition. The Gerszberg '881 reference is relied upon for this aspect

as set forth above. In combination of Kondo and Gerszberg '881, the Kondo reference teaches the transmission of call status information including specifically "on-hook or off-hook" by incorporation of Gerszberg '881. Kondo teaches in column 8, lines 8-34 the determination of call status information from call setup information wherein Kondo teaches wherein a communication terminal identifies status information and stores the information at a management terminal. The status information is retrieved from call setup information that is originally transmitted from a device. Therefore, by way of combination, the cited prior art is found to teach "determining a call status of each of the plurality of terminals based on call status information included in the call setup information exchanged between each of the plurality of terminals" as recited in claim 1.

(b) With respect to argument (b), the examiner submits, as set forth in the rejection, Gerszberg '881 teaches the transmission of information to the terminal at any point in time, therefore it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to enable information to be transmitted to the videophone while the videophone is in an on-hook condition. This is exemplified in the art by Gerszberg '621, wherein Gerszberg teaches a very similar videophone setup wherein information or advertisements, is transmitted to a videophone when it is determined that the videophone is not in use (p. 5, para. 0042) and therefore the videophone is in an on-hook condition.

(c) With respect to argument (c), the examiner submits, as set forth in the rejection, Gerszberg '881 teaches the transmission of information to the terminal at any point in time, therefore it would have been obvious to one of ordinary skill in the art at the time

of the applicant's invention to enable information to be transmitted to the videophone while the videophone is only in an on-hook condition and therefore not in an off-hook condition. This is exemplified in the art by Gerszberg '621, wherein Gerszberg teaches a very similar videophone setup wherein information or advertisements, is transmitted to a videophone when it is determined that the videophone is not in an off-hook status (p. 5, para. 0042) and therefore the videophone is in an on-hook condition.

(d) With respect to argument (d), the examiner submits, as set forth in the rejection, Gerszberg '881, col. 11, ll. 65-66, teaches the displaying of content (i.e. advertisements, bulletins) when the phone is not in active use and therefore in an on-hook status. Therefore, at least Gerszberg '881 is found to teach the displaying of information on the display unit while in the on-hook status.

(e) With respect to argument (e), the examiner submits, as set forth in the rejection, Gerszberg '881, col. 11, ll. 65-66, teaches the displaying of content (i.e. advertisements, bulletins) when the phone is not in active use and therefore in an on-hook status. Advertising can be displayed on the video phone whenever the videophone is not in active use. Nowhere does Gerszberg '881 teach the displaying of advertisements during an off-hook status and is therefore found to teach within the scope of the claim limitation: "wherein each of the plurality of terminals that is in the off-hook status does not display the information transmitted from the information server on the display unit during the off-hook status.

Art Unit: 2442

Because applicant's arguments (a)-(e) were not found persuasive, the reasons for rejection has been maintained and claims 1-4, 7-13 and 16-23 are therefore not found patentable over the cited prior art of record.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin Ailes whose telephone number is (571)272-3899. The examiner can normally be reached Monday-Friday, IFP Hoteling schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/B. A. A./
Examiner, Art Unit 2442

/Andrew Caldwell/
Supervisory Patent Examiner, Art
Unit 2442